

BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON

RECEIVED
APR 24 2018

Kittitas Co. CDS

RESOLUTION

NO. 2016 - 072

**IN THE MATTER OF APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE
EVERGREEN RIDGE PLANNED UNIT DEVELOPMENT (RZ-01-00010)
AND EVERGREEN RIDGE PHASE 1, DIVISION 5 FINAL PLAT (P-06-00022)**

WHEREAS, An open record hearing was held by the Kittitas County Planning Commission on August 27, 2001 for the purpose of considering a zone change consisting of approximately 75 acres located west of mile post 8 and north of State Route 903 from Rural 3 zone to a Planned Unit Development; and

WHEREAS, After a SEPA threshold determination of non-significance was issued, due notice was given, and public testimony was provided regarding the project, the Kittitas County Planning Commission recommended approval of said proposed rezone; and

WHEREAS, A closed record public hearing was held by the Board of County Commissioners on September 18, 2001, and after consideration of public testimony and findings of fact, the Commissioners approved the proposed Planned Unit Development rezone; and

WHEREAS, On October 2, 2001 the Board of County Commissioners signed Ordinance 2001-17 granting approval of the Evergreen Ridge Preliminary PUD Rezone (RZ-01-00010); and,

WHEREAS, On December 21, 2005 Kittitas County received application to amend the Planned Unit Development to add seventeen (17) acres to the approved project; and

WHEREAS, On May 16, 2006 the Board of County Commissioners signed Ordinance 2006-26 granting amendment to the Evergreen Ridge Preliminary PUD Rezone expanding the PUD area by seventeen acres; and

WHEREAS, After a SEPA threshold determination of non-significance was issued, due notice was given, and public testimony was provided regarding the amendment to the project, the Kittitas County Planning Commission recommended approval of said proposed rezone on March 28, 2006, and

WHEREAS, After a closed record public hearing was held before the Board of County Commissioners on May 2, 2006 to consider the Planning Commission recommendation and the findings of fact, the Board on May 16, 2006 approved the amendment to add 17 acres to the rezone of said Planned Unit Development through Ordinance 2006-026; and

WHEREAS, according to Kittitas County Code 17.36.040, following approval of the preliminary planned unit development plan by the County, and before lot sales or building construction commences, the developer (owner) shall submit a final planned unit development plan for approval by the Board of County Commissioners; and

WHEREAS, the applicant proposed a final planned unit development plan application on May 20, 2013, and submitted additional information requested by staff within a letter dated October 14, 2014, further defining the final planned unit development plan; and

WHEREAS, on March 30, 2016 and on April 6, 2016 said applicant provided such information; and

WHEREAS, final mylars for Phase 1, Division 5, consistent with the final planned unit development plan, were submitted to CDS staff on February 16, 2016 so they could be reviewed concurrently with the final planned unit development plan; and

WHEREAS, the Planned Unit Development known as Evergreen Ridge PUD is located at the site of the originally approved preliminary planned unit development plan established in Ordinance 2001-17 and Ordinance 2006-26

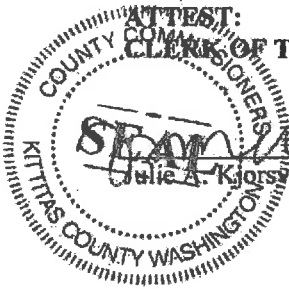
WHEREAS, the Board of County Commissioners on June 7, 2016 reviewed the final development plan for the PUD on this matter; and,

WHEREAS, the following FINDINGS OF FACT have been made concerning said development:

1. On October 2, 2001 the Board of County Commissioners signed Ordinance 2001-17 granting approval of the Evergreen Ridge Preliminary PUD Rezone (RZ-01-00010).
2. On May 16, 2006 the Board of County Commissioners signed Ordinance 2006-26 granting amendment to the Evergreen Ridge Preliminary PUD Rezone expanding the PUD area by seventeen acres.
3. The original proposal was a preliminary planned unit development on approximately 92 acres with varying residential designs and densities through Ordinance 2001-17 and amendment through Ordinance 2006-26.
4. According to Kittitas County Code 17.36.040, following approval of the preliminary development plan by the County, a Final Planned Unit Development Plan shall be submitted to the Department of Community Development Services of Kittitas County meeting various criteria and before lot sales or building construction commences, the developer (owner) shall submit a final development plan for approval by the Board of County Commissioners.
5. Mr. Chad Bala, authorized agent for Teanaway Ridge, LLC, the land owner, submitted a final development plan to Community Development Services on May 20, 2013.
6. After multiple reviews and work with the applicant and with various departments, it has been determined that the planned unit development project will consist of multiple numbers of units, uses and phases consistent with the preliminary planned unit development plan approved in 2001 and amended in 2006.
7. The subject property is located north of State Highway 903 and west of Mile Post 8 being a portion of Section 12 or T. 20N, R.14 E.W.M in the County of Kittitas.
8. The proposed location, phasing, and development character is consistent with the plans previously approved in 2001 and 2006, and further meets the timelines of the Code.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby approve the final planned unit development plan for the Evergreen PUD Rezone (Z-01-00010) and Plat (P-06-00022), adding note #3 which states, "The identified open space tracts shall be proportionately owned by tenants in the common, and retained by each adjoining home owner, and will be assessed, taxed, and foreclosed upon each building lot not fulfilling their obligation."

DATED this 7th day of June, 2016 at Ellensburg, Washington.



APPROVED AS TO FORM:

Greg Zempel WSBA #19125

**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Obie O'Brien, Chairman

Paul Jewell, Vice-Chairman

Laura Osiadacz, Commissioner

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS STATE OF WASHINGTON**

ORDINANCE NO. 2006 - 260

EVERGREEN RIDGE PUD AMENDMENT REZONE (Z-05-33)

**IN THE MATTER OF AMMENDING THE KITTITAS COUNTY ZONING ATLAS FOR
A PORTION OF THE WEST ¼ OF SECTION 12 OF TOWNSHIP 20 N., RANGE 14 E.,
FOR AN AMENDMENT TO AN EXISTING 73.13 ACRES PLANNED UNIT
DEVELOPMENT AND FOR THE INCLUSION BY REZONE OF 17 ACRES
CURRENTLY ZONED RURAL-3 AND GENERAL INDUSTRIAL TO PLANNED UNIT
DEVELOPMENT (PUD).**

WHEREAS, according to Kittitas County Code Titles 15A & 17, relating to general rezones, adopted pursuant to RCW 36.70B & 36.70 respectively, an open record hearing was held by the Kittitas County Planning Commission on March 28, 2006 for the purpose of considering a zone change consisting of approximately 17.00 acres from Rural-3 and General Industrial to Planned Unit Development and an amendment to and existing Planned Unit Development consisting of 73.13 acres known as the Evergreen Planned Unit Development (PUD) and described as follows:

PORTIONS OF PARCELS LYING NORTH OF HIGHWAY 903 AT MILEPOST 8 ON HIGHWAY 903, RONALD, WA 98941 WITHIN THE WEST ½ OF SECTION 12, described as being a portion of section 12, of T.20N., R.14E., W.M., in the County of Kittitas, State of Washington; portions of assessor's parcel number 20-14-12020-0004, 20-14-12010-0009, 20-14-12020-0001 and 20-14-12020-0003. And,

WHEREAS, testimony was taken from those persons present who wished to be heard during said open record hearing before the Planning Commission; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such zone change; and,

WHEREAS, the Planning Commission recommended approval of said proposed rezone in a 3-0 decision with one member abstaining from voting and three members absent; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on May 2, 2006 to consider the Planning Commission's recommendation on this matter; and,

WHEREAS, the following FINDINGS OF FACT have been made concerning said proposed

rezone:

1. TerraDesign Works, authorized agent for Teanaway Ridge LLC, landowners has submitted a general rezone request for an amendment to an existing Planned Unit Development (Evergreen PUD, File No. Z-01-10) of 73.13 acres and inclusion by rezone of 17 acres currently zoned Rural-3 and General Industrial to Planned Unit Development (PUD) pursuant to KCC Title 17.36 (Planned Unit Development Zone). The site is located north of Highway 903 at milepost 8 on Highway 903, Ronald, WA 98941 within the west 1/2 of Section 12 of T.20N., R.14E., W.M. in Kittitas County being a portion of tax parcel numbers 20-14-12020-0004, 20-14-12010-0009, 20-14-12020-0001 and 20-14-12020-0003.
2. A Notice of Application was issued on February 2, 2006 by Kittitas County Community Development Services. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties.
3. Written comments were solicited and the final date to submit written comments was on March 3, 2006 by 5:00pm. Comments were received from Washington State Department of Ecology, Washington State Department of Community, Trade, and Economic Development, the Washington State Department of Transportation, Lori and Gene Krawchuck, Juliann Wasisco Boyle, Kittitas County Fire Protection District 6, and Concerned Citizens of Upper Kittitas County in care of James Boyle, chairman.
4. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during this 30 day comment period and other information on file with our office, a SEPA Determination of Non-Significance (DNS) was issued by Kittitas County Community Development Services on March 14, 2006.
5. An administrative site analysis was completed by the staff planner in compliance with Title 17A. The subject property is not located within a regulated critical area.
6. Approximately 73.13 acres is currently zoned Planned Unit Development (PUD) and was approved via a rezone on October 2nd, 2001. Approximately 17.00 acres of the subject property is currently zoned Rural-3 and General Industrial. Within the area of the project site, zoning to the north is Rural-3, to the northeast is Commercial Forest, east is Rural-3 and General Industrial, to the south Rural-3, to the west Rural 3, and to the northwest is Forest and Range. The project site is located within the Ronald Urban Growth Node (UGN). The surrounding area contains mixed uses, including commercial forest operations to the north, rural residential to the west and south, and a vacant industrial site to the east.

7. An open record hearing was held by the Planning Commission on March 28, 2006 to consider this matter and testimony was taken from those persons who wished to be heard.
8. The proposed rezone to Planned Unit Development is consistent with the underlying Comprehensive Plan designation of Urban Residential.
9. The Planning Commission finds that the proposed rezone does meet all seven criteria of Kittitas County Code 17.98.020(E) as outlined below:
 - a) *The proposed amendment is compatible with the comprehensive plan. The proposed rezone to Planned Unit Development is consistent with the underlying Comprehensive Plan designation of Urban Residential. The subject property is located within the Urban Growth Node of Ronald.*
 - b) *The proposed amendment bears a substantial relation to the public health, safety or welfare. Approximately 73.13 acres is currently zoned Planned Unit Development (PUD) and was approved via a rezone on October 2nd, 2001. Approximately 17.00 acres of the subject property is currently zoned Rural-3 and General Industrial. Within the area of the project site, zoning to the north is Rural-3, to the northeast is Commercial Forest, east is Rural-3 and General Industrial, to the south Rural-3, to the west Rural 3, and to the northwest is Forest and Range. The project site is located within the Ronald Urban Growth Node (UGN). The surrounding area contains mixed uses, including commercial forest operations to the north, rural residential to the west and south, and a vacant industrial site to the east.*
 - c) *The proposed amendment has merit and value for Kittitas County or a sub-area of the county. It provides for a potential for an increased tax revenue/tax base.*
 - d) *The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property. The industrial needs of the community have changed in that the mining industry is no longer as prominent as it was in the past. Approximately 73.13 acres is currently zoned Planned Unit Development (PUD) and was approved via a rezone on October 2nd, 2001. Approximately 17.00 acres of the subject property is currently zoned Rural-3 and General Industrial. Within the area of the project site, zoning to the north is Rural-3, to the northeast is Commercial Forest, east is Rural-3 and General Industrial, to the south Rural-3, to the west Rural 3, and to the northwest is Forest and Range. The project site is located within the Ronald Urban Growth Node (UGN). The surrounding area contains mixed uses, including commercial forest operations to the north, rural residential to the west and south, and a vacant industrial site to the east.*

- e) *The subject property is suitable for development in general conformance with zoning standards for the proposed zone. Within the area of the project site, zoning to the north is Rural-3, to the northeast is Commercial Forest, east is Rural-3 and General Industrial, to the south Rural-3, to the west Rural 3, and to the northwest is Forest and Range. The project site is located within the Ronald Urban Growth Node (UGN). The surrounding area contains mixed uses, including commercial forest operations to the north, rural residential to the west and south, and a vacant industrial site to the east.*
 - f) *The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property. The subject property is next to Rural-3 zoning. Within the area of the project site, zoning to the north is Rural-3, to the northeast is Commercial Forest, east is Rural-3 and General Industrial, to the south Rural-3, to the west Rural 3, and to the northwest is Forest and Range. The project site is located within the Ronald Urban Growth Node (UGN). The surrounding area contains mixed uses, including commercial forest operations to the north, rural residential to the west and south, and a vacant industrial site to the east.*
 - g) *The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties. There is no irrigation to the subject property.*
10. The recommended conditions contained within the staff report as part of Section IV shall be conditions of approval of the rezone. The conditions are as follows:
- a) Any future development shall ensure that adequate provisions are made for fire fighting requirements.
 - b) Per WSDOT comments, the subject parcels are adjacent to State Highway 903. No direct access to SR 903 for any lot will be allowed. Access to the proposed area within the rezone is at Ridgecrest Drive (milepost 8.11 Right). Paintbrush Lane (milepost 8.33 Right) needs to be closed. No additional roads into the PUD area will be allowed.
 - c) Approach permits for the private roads intersecting SR 903 will need to be updated, and improvements to the affected intersections may be required per WSDOT requirements.
 - d) Per WSDOT comments, possible increase in traffic volumes generated by the rezone site may require further improvements to Ridgecrest Drive intersection
 - e) All snow removed from development roads must be stored outside WSDOT rights-of-way. Surface and stormwater runoff generated by future development must not be allowed to flow onto nearby WSDOT rights-of-way.
 - f) Any future development of the properties involved within this rezone will result in the enactment of road standards review and will require road improvements to be made that comply with all applicable WSDOT and Kittitas County Road Standards.

11. Public testimony was heard.

NOW THEREFORE,

BE IT HEREBY ORDAINED by the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby approve said zone change zone change consisting of approximately 17.00 acres from Rural-3 and General Industrial to Planned Unit Development and an amendment to and existing Planned Unit Development consisting of 73.13 acres known as the Evergreen Planned Unit Development (PUD), known as the Evergreen Ridge Planned Unit Development Amendment, Z-05-33, and does hereby authorize the amendment of the Kittitas County Zoning Map as set forth in attached Exhibit A.

DATED this 16th day of May, 2006 at Ellensburg, Washington.



ATTEST:
CLERK OF THE BOARD

Julie A. Kjorsvik

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**

David B. Bowen
David B. Bowen, Chairman

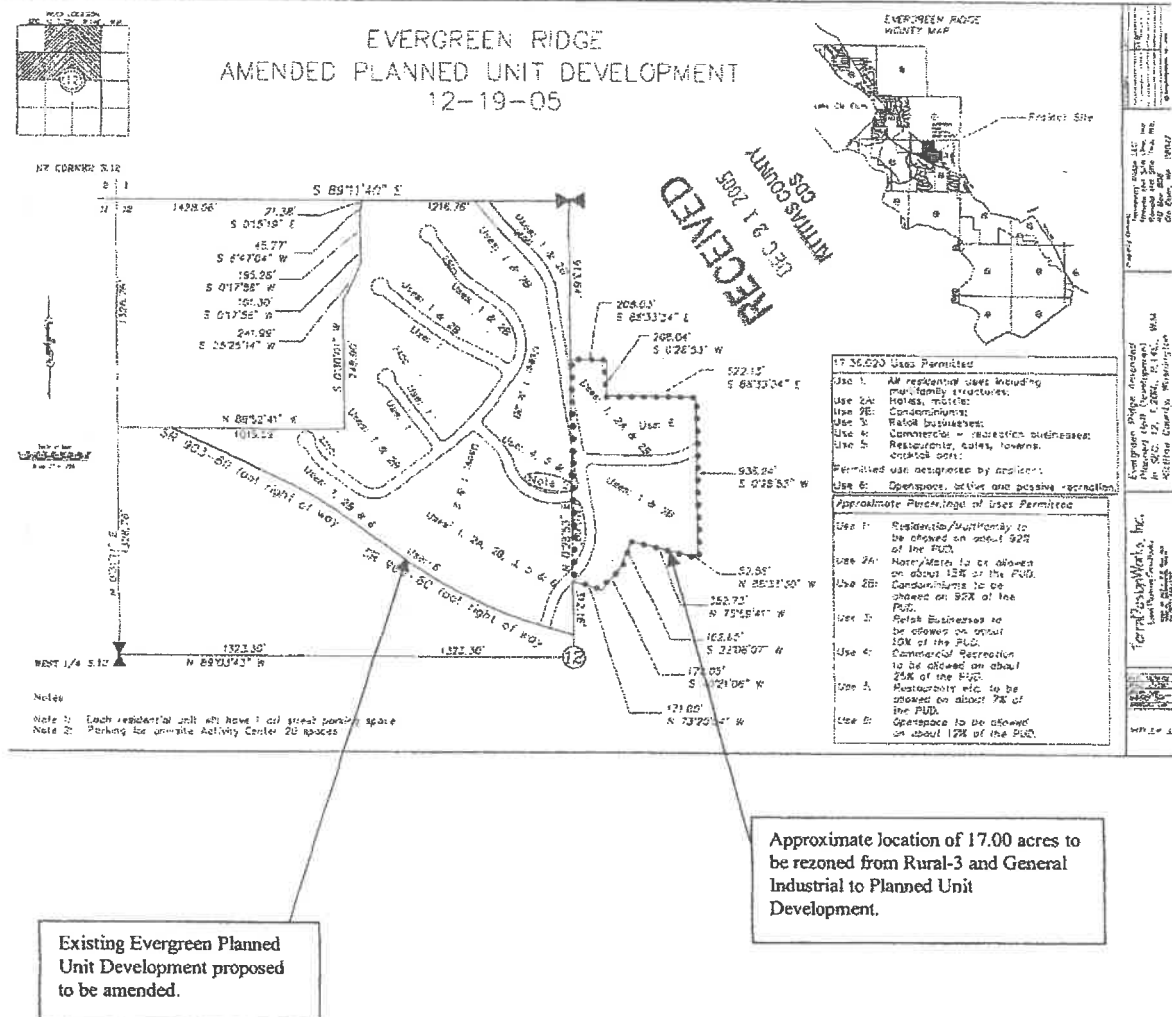
Alan A. Crankovich
Alan A. Crankovich, Vice-Chairman

APPROVED AS TO FORM:

Greg Zempel WSBA #19125

Perry D. Huston
Perry D. Huston, Commissioner

Exhibit A: Evergreen Ridge Planned Unit Development Amendment, Z-05-33, Rezone Map



**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

ORDINANCE NO. 2001- 17

**EVERGREEN RIDGE PUD AND PRELIMINARY PLAT
IN THE MATTER OF AMENDING THE KITTITAS COUNTY ZONING ATLAS TO
DESIGNATE PORTIONS OF THE RONALD UGN AS PLANNED UNIT
DEVELOPMENT AND PRELIMINARY PLAT APPROVAL**

WHEREAS, according to Kittitas County Code Titles 15A, 16 & 17, relating to rezones and plats and adopted pursuant to RCW 36.70B & 36.70 respectively. An open record hearing was held by the Kittitas County Planning Commission on August 27, 2001 for the purpose of considering a zone change consisting of approximately 75 acres from Rural-3 to Planned Unit Development and a preliminary plat consisting of 65 residential lots and a 5 acre RV park described as follows:

FOUR PARCELS LYING WEST OF MILE POST 8 AND EAST OF DOUBLE O ROAD ON THE NORTH SIDE OF SR 903, APN 20-14-12012-0009, 20-14-12020-0001, 20-14-12020-0003, & 20-14-12020-0004, DESCRIBED AS BEING A PORTION OF SECTION 12 OF T.20N., R.14E., WM., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON; AND,

WHEREAS, testimony was taken from those persons present who wished to be heard during said open record hearing before the Planning Commission; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such zone change; and,

WHEREAS, the Planning Commission recommended approval of said proposed rezone and preliminary plat in a 5-0 decision; and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on September 18, 2001 to consider the Planning Commission's recommendation on this matter; and,

WHEREAS, the following FINDINGS OF FACT regarding the rezone have been made by the Board of County Commissioners concerning this ordinance:

1. On June 25, 2001 Pat Deneen of Port Quendall Development Co. submitted a complete application for a rezone of a 75 acre parcel from Rural-3 to PUD, being a portion of Section 12 T20N., R14E., W.M. (Z-01-10).
2. On June 26, 2001, the Planning Department issued a Notice of Application pursuant to KCC 15A.03.
3. Comment letters were received from the Washington State Department of Transportation, the Kittitas County Environmental Health Department, the Kittitas County Public Works

Department, the Kittitas County Fire Marshal, Kittitas County Fire District 6 and several concerned citizens.

4. The application site is located within the Ronald UGN and is presently zoned Rural-3 by the County Zoning Code.
5. On August 3, 2001 the Planning Department issued a Determination of Non-Significance (DNS) on the State Environmental Policy Act checklist.
6. A Critical Areas Review showed no regulated critical areas on the subject property.
7. The proposed rezone to a PUD is consistent with the underlying Comprehensive Plan designation of the Ronald UGN.
8. An open record hearing was held by the Planning Commission on August 27, 2001 to consider this matter and that testimony was taken from those persons who wished to be heard.
9. The proposed rezone meets all seven criteria of Kittitas County Code 17.98.020(E).
10. Additional conditions are not necessary at this stage of the planning and approval process to protect the public's interest.

WHEREAS, the following FINDINGS OF FACT regarding the preliminary plat have been made by the Board of County Commissioners concerning this ordinance:

1. On June 25, 2001 Pat Deneen of Port Quendall Development Co. submitted a complete application for a preliminary plat of 65 residential lots and a 5 acre RV park, being a portion of Section 12 T20N., R14E., W.M. (P-01-01).
2. On June 26, 2001, the Planning Department issued a Notice of Application pursuant to KCC 15A.03.
3. Comment letters were received from the Washington State Department of Transportation, the Kittitas County Environmental Health Department, the Kittitas County Public Works Department, the Kittitas County Fire Marshal, Kittitas County Fire District 6 and several concerned citizens.
4. The application site is located within the Ronald UGN and zoned Rural-3 by the County Zoning Code.
5. On August 3, 2001 the Planning Department issued a Determination of Non-Significance (DNS) on the State Environmental Policy Act checklist.
6. A Critical Areas Review showed no regulated critical areas on the subject property.
7. The proposed PUD/Preliminary Plat is consistent with the underlying Comprehensive Plan designation of the Ronald UGN.
8. An open record hearing was held by the Planning Commission on August 27, 2001 to consider this matter and that testimony was taken from those persons who wished to be heard.
9. Additional conditions are necessary at this stage of the planning and approval process to protect the public's interest as set forth below.
10. The proposal with the conditions set forth below, along with the proposed densities is consistent and appropriate to an Urban Growth Node.

NOW THEREFORE, BE IT HEREBY ORDAINED the Board of County Commissioners of Kittitas County, Washington, after due deliberation and in the best interest of the public, does hereby

approve said zone change to Planned Unit development as set forth in the attached Zone Change File Map and hereby grants preliminary plat approval to the preliminary plat generally described by the attached Preliminary Plat Map subject to the following conditions:

1. Prior to final plat approval the applicant must meet all requirements for access, off of Highway 903, by the Washington State Department of Transportation.
2. Prior to final plat approval the applicant must meet all requirements by the Kittitas County Fire Marshal regarding fire protection.
3. Prior to final plat approval the applicant must meet all requirements of the Kittitas County Public Works Department regarding road standards.
4. Prior to final plat approval the applicant must provide proof of potable water and meet all wastewater requirements of the Kittitas County Environmental Health Department.
5. Evergreen Ridge will include within its Restrictive Covenants, a requirement for all individual lots to connect to a regional sewer system when such a system is approved, designed, funded, and built. Until Evergreen Ridge is included within such a regional sewer system, lots may be developed with septic systems as approved by the Kittitas County Health Department with said approval being based on the state and county regulations.
6. All existing encroachments shall be addressed to the satisfaction of all parties prior to final plat approval.

DATED this 2nd day of October, 2001, at Ellensburg, Washington.

**BOARD OF COUNTY COMMISSIONERS
KITITITAS COUNTY, WASHINGTON**



Perry D. Huston
Perry D. Huston, Chairman

William R. Hinkle
William R. Hinkle, Vice-Chairman

Max A. Golladay
Max A. Golladay, Commissioner

APPROVED AS TO FORM:

Gregory L. Zempel
Prosecuting Attorney
WSBA #19125